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J 1631 44

PATENT  
Attorney Docket No.: AFFY-041/02US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stephen P.A. FODOR et al.

Application No.: 09/724,928

Confirmation No.: 9541

Filed: November 28, 2000

Group Art Unit: 1631

For: VERY LARGE SCALE IMMOBILIZED  
POLYMER SYNTHESIS

Examiner: K.R. Skowronek

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

**REPLY TRANSMITTAL**

1. Enclosed are the following documents in response to the Office Action dated May 30, 2006.

- Reply to Requirement for Restriction
- Drawings:  Formal  Informal (Correction)
- Information Disclosure Statement
- Copy of Form PTO-1449
- Terminal Disclaimer
- Declaration of Biological Deposit
- Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

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2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months <u>Requested</u>	Fee for <u>Extension</u>	[Fee for Small Entity]
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input checked="" type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: **\$1,590.00**

If an additional extension of time is required, please consider this a Petition therefor.

- An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

3. Constructive Petition

- EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1283. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

4. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	86	minus	107	0	x \$50 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	11	minus	11	0	x \$200 each=	+ \$0.00
[ ] First presentation of Multiple dependent claim(s)					\$360.00	+ \$ 0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

5. Fee Payment

- The Commissioner is hereby authorized to charge the total fee due of \$1,590.00 to Deposit Account 50-1283.
- The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-1283.

Respectfully submitted,

COOLEY GODWARD LLP

*Michael S. Tuscan Reg. 43,255*  
for Michael S. Tuscan  
Reg. No. 43,210

Dated: October 30, 2006

Customer No. 58249  
COOLEY GODWARD KRONISH LLP  
875 15<sup>th</sup> Street, N.W.  
Suite 800  
Washington, D.C. 20005  
Tel: (202) 842-7800  
Fax: (202) 842-7899